

SAFE DRINKING WATER ACT
(SDWA)

R6-9-7-A. Part B, Public Water Systems: Findings of Noncompliance, Notification, and Technical Assistance

1. **AUTHORITY.** To perform the following functions relating to enforcement and technical assistance pursuant to the Safe Drinking Water Act (SDWA), Part B:
 - a. Pursuant to section 1414(a)(1)(A) of the SDWA, finding that a public water system does not comply with any applicable requirements (as defined in section 1414(i) of the SDWA) during a period in which a State has primary enforcement responsibility; notifying the primacy State and the public water system of such a finding; and providing advice and technical assistance to the primacy State and public water system as may be appropriate to bring the system into compliance;
 - b. Pursuant to section 1414(a)(2) of the SDWA, finding that a public water system does not comply with any applicable requirements during a period in which a State does not have primary enforcement responsibility, and notifying an appropriate local elected official, if any, with jurisdiction over the public water system prior to taking enforcement action in the non-primacy State;
 - c. Pursuant to section 1414(d) of the SDWA, finding that a public water system in a state does not comply with national secondary drinking water regulations within a reasonable time after such secondary regulations have been promulgated, and that such noncompliance with secondary drinking water regulations appears to result from a State's failure to take reasonable action to assure that public water systems throughout the State meet such secondary regulations; and notifying the State of such noncompliance; and
 - d. Pursuant to section 1414(f) of the SDWA, providing appropriate notice of and holding public hearings for the purpose of gathering information; issuing recommendations to a primacy State and public water system on the basis of such hearings; and making such recommendations available to the public and communications media.
2. **TO WHOM DELEGATED.** Chief, Water Enforcement Branch, Compliance Assurance and Enforcement Division.
3. **LIMITATIONS.** The delegatee must consult with Regional Counsel, or designee, before exercising authorities 1.a, 1.b, and 1.c, and before issuing recommendations under authority 1.d.

SAFE DRINKING WATER ACT
(SDWA)

R6-9-7-A. Part B, Public Water Systems: Findings of Noncompliance, Notification, and Technical Assistance (Contd).

4. REDELEGATION AUTHORITY.

- a. This authority may not be further redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Parts 141 and 142
 - b. Guidance on PWS Administrative Order Procedures
 - c. Memorandum of Understanding between Regional Counsel and Water Quality Protection Division.
6. **SUPERSSION.** This Regional Order supersedes Regional Order R6-9-7-A, dated June 20, 1997.



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

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JAN 19 2017

MEMORANDUM

SUBJECT: Delegations of Authority

FROM: Gina McCarthy

TO: Matthew Fritz, Chief of Staff

On Wednesday, January 18, 2017, I signed a number of revisions to EPA Delegations of Authority. In anticipation of my signature on the revised delegations, and to make certain that there were no lapses in authority, many Regional Administrators and Assistant Administrators signed revised re-delegations consistent with my revisions on January 17, 2017. I hereby accept and ratify any such re-delegations as appropriate re-delegations of authority until otherwise revised or revoked. To the extent that any actions taken under the delegated or re-delegated authority described herein may require ratification, such action is hereby approved and ratified.